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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,372	06/26/2001	Tao-Yag Han	1638-165	9196

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EXAMINER

VAN DOREN, BETH

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/888,372	Applicant(s) HAN ET AL.	
	Examiner Beth Van Doren	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/26/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The following is a non-final first office action on the merits. Claims 1-11 are pending.

Specification

2. The disclosure is objected to because of the following informalities: a page of the specification appears to be missing. The specification has a cover sheet and then begins on page 2 mid sentence with the line "built in prototyping step (s3)".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 8 recites "a customer participation suite through which a customer supplier for the product". It is unclear as to what a customer supplier is, based on this claim and claim 1. For examination purposes, the limitation has been construed as a --customer participation suite through which a customer for the product--. Clarification is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 5-6, and 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Bigelow (U.S. 6,647,305).

5. As per claim 1, Bigelow teaches a system for allowing participants of a product community to interact with product definition data pertinent to at least a portion of a lifecycle of the product, the system comprising:

a community server accessible via a network by the participants of the product community and which uses the product definition data (See column 1, line 65-column 2, line 7, column 3, lines 10-25, column 4, lines 50-67, column 5, lines 25-45, which discusses a server that participants accesses and uses product data);

plural application suites executed by the community server for permitting interaction with the product definition data by corresponding plural differing types of participants (See column 3, lines 10-22, column 5, lines 1-10 and 25-45, column 6, lines 20-35, column 8, line 48-column 9, line 3, wherein applications permit interaction with the data by different participants).

6. As per claim 2, Bigelow teaches wherein the interaction includes (1) viewing the product definition data and (2) revising the product definition data (See column 3, lines 10-30, column 4, lines 10-20, column 5, lines 25-45, column 7, lines 1-15, wherein product data is viewable and revisable).

7. As per claim 5, Bigelow discloses wherein the product definition data includes data for providing a three dimensional display of at least a portion of the product (See figure 5 and column 15, lines 25-45, wherein a 3-dimensional display is provided).

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8. As per claim 6, Bigelow discloses wherein the plural application suites include at least the one of: (3) an engineering participation suite through which a designer of the product interacts with the product definition data (See column 4, lines 10-20, column 5, lines 25-45, column 6, lines 20-45, column 7, lines 1-15, where the designer interacts with the product data).

9. As per claim 8, discloses wherein the plural application suites include a customer participation suite through which a customer for the product at least views a three dimensional image of the product (See column 3, lines 10-25, column 4, line 57-column 5, line 15 and lines 25-45, wherein the display is three dimensional).

10. As per claim 9, discloses a network-based product development community system comprising:

a network node for storing product definition data pertinent to at least a portion of a lifecycle of the product (See column 3, lines 10-30, column 4, lines 10-45, and column 5, lines 20-40, wherein the data is stored. See column 6, lines 20-35, column 8, lines 50-67, and column 9, lines 40-60, which discuss data in the database about portions of the lifecycle);

a network node for each of plural participants of the product development community through which the respective participants interact with the product definition data (See column 3, lines 10-22, column 5, lines 1-10 and 25-45, column 6, lines 20-35, column 8, line 48-column 9, line 3, wherein applications permit interaction with the data by different participants);

a community server situated at a node of the network which, when a change affecting the product definition data occurs as a result of interaction by a first participant, notifies others of the plural participants of the change (See column 4, lines 10-20, column 5, lines 25-45, column 6,

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lines 5-30, column 7, lines 1-15, wherein modifications are made and updated with the system, and then notified to other users via the network).

11. As per claim 10, Bigelow teaches wherein the network is an enterprise network and the nodes are nodes of the enterprise network (See column 3, lines 10-25, column 4, lines 55-column 5, line 15, which discloses a LAN internal to an organization (company)).

12. As per claim 11, Bigelow teaches wherein the network is the Internet and the nodes are nodes of the Internet (See column 3, lines 10-25, column 4, lines 55-column 5, line 15, which disclose the Internet).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bigelow (U.S. 6,647,305) in view of Thackston (U.S. 6,295,513).

As per claim 3, Bigelow discloses wherein the plural differing types of participants include a component supplier for the product, a designer for the product, a customer for the product (See abstract, column 3, lines 10-25, column 5, lines 10-67, column 6, lines 20-30, which disclose a supplier, a designer, and a customer). However, Bigelow does not expressly disclose a marketer for the product.

Bigelow discloses a network-based system that allows for participation by suppliers, customers, administrators, and designers in the lifecycle of a product from design through sale.

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Marketers are old and well-known members of a company's sales team that would be involved with causing the customer to purchase the product. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a marketer in the participants of Bigelow in order to increase the sales of the designed product to the customers by utilizing the old and well-known technique of marketing.

15. As per claim 4, Bigelow teaches wherein the lifecycle includes product design, product production, product delivery/distribution, product marketing and sales (See column 3, lines 10-25, column 4, lines 10-20, column 5, lines 60-67, column 8, line 65-column 9, line 3, column 10, lines 1-15, which discusses design, production, delivery, sales, etc). However, Bigelow does not expressly disclose that a life cycle of a product includes product support.

Bigelow discloses a network-based system that allows for participation by suppliers, customers, administrators, and designers in the lifecycle of a product from design through sale and delivery. It is old and well known in a product's lifecycle that a company offers support to the customer who receives the product. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to offer product support to the customer after product delivery in order to increase customer satisfaction for the demanded personalized products. See column 1, lines 25-35.

15. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bigelow (U.S. 6,647,305) in view of Thackston (U.S. 6,295,513).

As per claim 7, Bigelow teaches wherein the plural application suites include a supplier participation suite through which a component supplier for the product performs functions,

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including seeing assembly files and manufacturing requirements (See abstract, column 5, line 60-column 6, line 3 and lines 20-30, column 9, line 64-column 10, line 15). However, while Bigelow discloses component part assemblies and bills of materials, Bigelow does not expressly disclose a request for a quote for a component of the product.

Thackston discloses request for quotes and bidding for parts (See column 3, line 65-column 4, line 10 and lines 50-65, column 5, lines 30-45 and 50-65, which discloses RFQs for parts in a collaborative design, development, and fabrication environment).

Both Thackston and Bigelow disclose network-based systems that allow multiple participant access to a tool for collaborative design of a product. Bigelow discloses determining component part assemblies and bills of materials, which are communicated using the system. It would have been obvious to one of ordinary skill in the art at the time of the invention to Request Quotes for these component part assemblies and bills of materials via the network-based system in order to reduce the product development time for a customer's customized product by utilizing the network to more quickly secure parts from a supplier. See column 1, lines 25-35, which discloses using the Internet for time reduction.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sferro et al. (U.S. 6,230,066) discloses collaborative and simultaneous manufacturing and engineering using a group of participant's knowledge and modeler program.

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Sebastian et al. (U.S. 5,822,206) discloses a concurrent engineering system that allows for collaboration on the design of a product during the development cycle and further utilizes a CAD program and an economic impact module.

Notani et al. (U.S. 6,397,191) discloses a computer-implemented process for enterprise collaboration on activities.

Abelow (U.S. 5,999,908) discloses a computer implemented product design module that interacts with customers during a product's life cycle to further develop a product.

Slatin ("Asynchrony.com allows software developers worldwide to collaborate") and Slatin et al. ("Internet Start-up asynchrony.com rockets to more than 1000 active software developers") disclose a website that allows developers to collaborate over the network to design and build a software project.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lwd
bvd

August 3, 2005

Susanna Diaz
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PRIMARY EXAMINER
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